

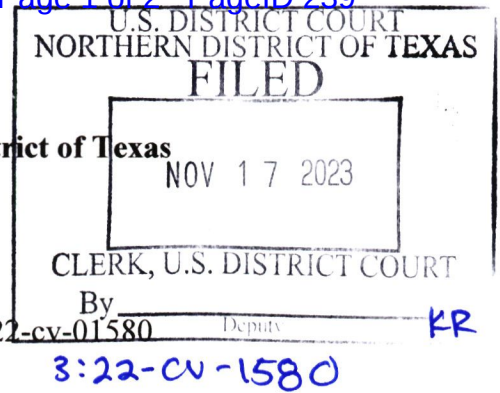
Notice of Appeal
United States District Court for the Northern District of Texas

David Adrian Smith, Plaintiff

v.

WWE, Inc., et al, Defendants

File Number 3:22-cv-01580



Notice of Appeal

Notice is hereby given that David Adrian Smith, plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the 5th Circuit from an electronic order denying Motion for Extra Time entered in this action on the 14th day of September, 2023. Plaintiff-Appellant also appeals, by extension, the Order of Dismissal with Prejudice entered in this action on the 13th day of July, 2023 since the Motion for Extra Time was accompanied by Plaintiff-Appellant's answer to the findings of the Magistrate Judge which included a prayer for grant of leave to submit Motion and Amended Complaint.

Plaintiff-Appellant claims Appeal by Right under FRAP Rule 4(a)(4)(A)(vi). The District Court entered an Order of Dismissal with Prejudice on July 13, 2023. Plaintiff-Appellant filed a Motion to Extend Time concurrent with their original answer to the Court's initial findings on September 13, 2023. The Court issued an electronic order denying Plaintiff-Appellant's Motion on September 14, 2023 without further comment. Under Rule 4(a)(4)(B)(i) and (ii), Plaintiff-Appellant files this Notice of Appeal recognizing the District Court's electronic order denying their Motion to Extend Time as the date their last Motion was dispensed with. The Notice of Appeal must be filed no later than 28 days from that date under Rule 4(a)(4)(A)(vi).

Date: November 14, 2023

Signature: (s) David Adrian Smith

Plaintiff (*Pro Se*)

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Certificate of Service

Plaintiff has made no effort to serve this Notice of Appeal on any Defendant since this matter has been in the initial review stage by the District Court for an IFP Pro Se Plaintiff and the court has not yet served the original complaint or any other filings on any Defendant.